

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below-named inventors, we hereby declare  
that:

My residence, post office address and citizenship  
are as stated below next to my name.

I believe I am an original, first and joint inventor  
of the subject matter which is claimed and for which a patent  
is sought on the invention entitled HUMAN N-METHYL-D-ASPARTATE  
RECEPTOR SUBUNITS, NUCLEIC ACIDS ENCODING SAME AND USES  
THERFOR, the specification of which

\_\_\_\_\_ is attached hereto.  
  X   was filed on April 20, 1994,  
(Attorney Docket No. P41 9424) as Application  
Serial No. 08/231,193 and was amended on (or  
amended through) \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand  
the contents of the above-identified specification, including  
the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which  
is material to the examination of this application in  
accordance with Title 37, Code of Federal Regulations, Sec.  
1.56(a).

I hereby claim the benefit under Title 35, United  
States Code, §120 of any United States application(s) listed  
below and, insofar as the subject matter of each of the claims  
of this application is not disclosed in the prior United  
States application in the manner provided by the first  
paragraph of Title 35, United States Code §112, I acknowledge  
the duty to disclose material information as defined in Title  
37, Code of Federal Regulations, §1.56(a) which occurred

between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
08/052,449	April 20, 1993	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

STEPHEN E. REITER, Registration No. 31,192;  
STEPHANIE L. SEIDMAN, Registration No. 33,779; JAMES R.  
BRUEGGEMANN, Registration No. 28,286; ROBERT A. SCHROEDER,  
Registration No. 25,393; LAURENCE H. PRETTY, Registration No.  
25,312; and GARY A. CLARK, Registration No. 28,060.

Direct all telephone calls to:

STEPHEN E. REITER  
Telephone: (619) 546-4737

Address all correspondence to:

STEPHEN E. REITER  
Pretty, Schroeder, Brueggemann & Clark  
444 South Flower Street, Suite 2000  
Los Angeles, California 90071

Full name of first inventor: LORRIE P. DAGGETT

Inventor's signature: Lorrie P. Daggett

Date: 5/18/94

Residence: San Diego, California

Citizenship: United States

Post Office Address: 5310 Repecho Drive, #2  
San Diego, California 92124

Full name of second inventor: STEVEN B. ELLIS

Inventor's signature: Steven B. Ellis

Date: 5/18/94

Residence: San Diego, California

Citizenship: United States

Post Office Address: 8939 Oviedo Street  
San Diego, California 92129

Full name of third inventor: CHEN WANG LIAW

Inventor's signature: Chen Wang Liaw

Date: 5/19/94

Residence: San Diego, California

Citizenship: United States

Post Office Address: 7668 Salix Place  
San Diego, California 92129

Full name of fourth inventor: CHIN-CHUN LU

Inventor's signature: Chin-Chun Lu

Date: 5/18/94

Residence: San Diego, California

Citizenship: Taiwan

Post Office Address: 8032 Avenida Navidad, #22  
San Diego, California 92122

A S S I G N M E N T

SIBIA NEUROSCIENCES, INC., a corporation organized under the laws of the State of Delaware, with its principal place of business in San Diego, State of California, United States of America, for good and valuable consideration, has assigned and does hereby assign to MERCK & CO., INC., a corporation organized under the laws of the State of New Jersey, having a principal place of business at White House Station, State of New Jersey, United States of America, its successors, assigns and legal representatives, its entire right, title and interest in and to all subject matter disclosed in 1) the applications for United States Letters Patent listed in attached Exhibit A; and 2) United States Letters Patents listed in attached Exhibit B, and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.


Assignor agrees to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

ASSIGNMENT  
Sibia Neurosciences, Inc.

Atty. Docket No. 24735-715

SIBIA NEUROSCIENCES, INC.

DATE: Dec 22, 1999

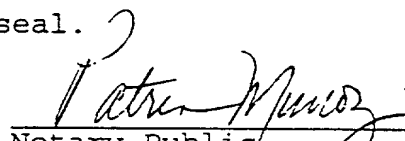
  
JEFFREY F. MCKELVY

STATE OF California )  
COUNTY OF San Diego ) SS.

On Dec 22nd 1999, before me, the undersigned, a notary public for the State of California, personally appeared JEFFREY F. MCKELVY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.



  
Notary Public

ASSIGNMENT

Sibia Neurosciences, Inc.

Atty. Docket No. 24735-715

EXHIBIT A

United States Letters Patent application Serial Nos. 08/442,662,  
08/442,786, 08/442,514, 08/443,048, 08/443,931, 08/884,599,  
08/290,012, 08/949,386, 08/984,709, 09/188,932, 08/229,150,  
08/870,537, 08/434,968, 08/787,806, 09/309,180, 08/486,273,  
08/940,086, 08/935,105, 08/940,035, 09/386,123, 09/217,345,  
07/762,679, 09/338,409, 08/975,944, 09/326,472

201010-010102

ASSIGNMENT  
Sibia Neurosciences, Inc.

Atty. Docket No. 24735-715

EXHIBIT B

United States Letters Patent Nos. 5,804,560, 5,714,471,  
5,969,100, 5,872,101, 5,863,902, 5,407,820, 5,686,241, 5,618,720,  
5,710,250, 5,429,921, 5,876,958, 5,792,846, 5,846,757, 5,874,236,  
5,386,025, 5,726,035, 5,670,113, 5,401,629, 5,436,128, 5,324,639,  
5,612,198, 5,324,660, 5,541,112, 5,231,178, 5,258,302, 4,593,002,  
5,849,895, 5,369,028, 5,801,232, 5,981,193, 4,960,690, 5,102,789,  
5,422,108



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): DAGGETT, L. ET AL.

Serial No.: <sup>940,086</sup> 08/231,193Filed: ~~April 20, 1994~~ Sept 29, 1997For: HUMAN N-METHYL-D-ASPARTATE RECEPTOR  
SUBUNITS, NUCLEIC ACIDS ENCODING SAME AND  
USES THEREFOR (AS AMENDED)

Group Art Unit: 1646

Examiner: J. ULM

ASSOCIATE POWER OF ATTORNEYAssistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In connection with the above-identified application the undersigned attorney and/or agent of record hereby appoints VINEET KOLHI Registration No. 37,003 c/o MERCK & CO., INC., Patent Dept., RY60-30, P.O. Box 2000, Rahway, New Jersey 07065-0907, an associate attorney and/or agent, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

All communications in connection with the prosecution of the above-identified application should be sent to VINEET KOHLI c/o MERCK & CO., INC., Patent Dept., RY60-30, P.O. Box 2000, Rahway, New Jersey 07065-0907.

Respectfully submitted,

**EXPRESS MAIL CERTIFICATE**  
DATE OF DEPOSIT Aug. 28, 2000  
EXPRESS MAIL NO. EL 32390346103  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL. POST OFFICE TO  
ADDRESSEE BEFORE 5 P.M. ON THE ABOVE DATE IN  
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, D.C. 20231  
MAILED BY A. P. Crowley  
DATE 8/28/00

BY: Joanne M. Giesser  
JOANNE M. GIESSER

Attorney \_\_\_\_\_ for Applicant(s)

Reg. No. 32,838(732)594- 3046Date: August 28, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daggett, et al.

Serial No: 08/940,086

Filed: 9/29/97

For: HUMAN N-METHYL-D-ASPARTATE  
RECEPTOR SUBUNITS, NUCLEIC  
ACIDS ENCODING SAME AND USES  
THEREFOR

Group Art Unit: 1812

Examiner: ULM, J.

ASSOCIATE POWER OF ATTORNEY

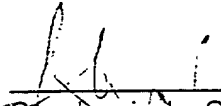
Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned attorney of record in the above-identified patent application hereby appoints Jack L. Tribble, Registration No. 32,633; Sheldon O. Heber, Registration No. 38,179; Joanne Giesser, Registration No. 32,838; associate attorneys in said application to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 24735-9383C  
Address all correspondence to:  
Stephanie Seidman, Esq.  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4250 Executive Square, 7th Floor  
La Jolla, California 92037  
Telephone: 619/450-8400  
Facsimile: 619/587-5360  
E-mail: sseidman@hewm.com

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